

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6866 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed : YES
to see the judgements?
 2. To be referred to the Reporter or not? : YES
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

RAJESHKUMAR DALABHAI AMIN

Versus

EXECUTIVE ENGINEER

Appearance:

MR RR VAKIL for Petitioner
M/S PATEL ADVOCATES for Respondent No. 1
NOTICE SERVED for Respondent No. 2, 3

CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 01/05/2000

ORAL JUDGEMENT

#. Mr.R.R.Vakil, learned advocate for the petitioner.
M/s. Patel Advocates, for the respondents. Mr.Digant
Joshi, learned A.G.P. for M/s.Patel Advocates.

#. Rule. With the consent of the parties the matter is

taken up for final disposal. Mr.R.R.Vakil, learned advocate for the petitioner makes two fold grievance, one that the petitioner has completed 10 years service and is entitled for the benefits under the Resolution dated 17.10.1988, which are not given to him. The second grievance of Mr.Vakil is that the petitioner is sought to be transferred by an order dated 15.9.1997 and as that transfer is inter circle, the petitioner's name will be placed at the bottom of the seniority.

#. Mr.Joshi, appearing for the respondent submits that the so far as the benefits under G.R. dated 17.10.88 are concerned, if the petitioner is entitled the respondent no.2 will take into consideration and will decide the same. Mr.Joshi, further submitted that if found eligible the petitioner will be paid the same. So far as the second grievance is concerned there are no basis for the same still, if the petitioner is apprehensive about the same, the respondent no.2 may be directed to look into the matter and decide the same.

#. In the facts and circumstances of the case, it is deemed fit that the present petition be disposed of with the direction that the respondent no.2. Superintending Engineer, Kachchh Irrigation Circle, shall look into the grievances of the petitioner. The petitioner is directed to furnish a copy of this petition to the respondent no.2 latest by 21.5.2000. The respondent no.2 shall decide the same within six weeks from the date of the receipt. The respondent no.2 shall communicate his decision to the petitioner by R.P.A.D. letter.

#. In case of difficulty it will be open to the petitioner to agitate his grievance before an appropriate forum. The petition is disposed of with the aforesaid direction. Rule is discharged with no order as to costs.

kks